

RESPONSE TO NOTICE
UNDER 37 CFR 1.251

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven J. Brown *et al.*

Serial No.: 09/965,201

Filed: 25 September 2001

For: "IDENTIFICATION OF MODULATORY MOLECULES USING
INDUCIBLE PROMOTERS "



APPLICANT'S RESPONSE PURSUANT TO
37 C.F.R. §1.111

Mail Stop: Duplicates
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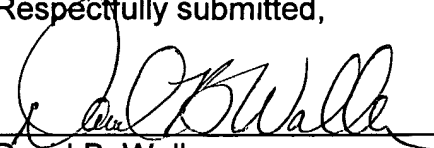
Dear Sir:

The following is Applicant's response to the Request under 37 C.F.R. 1.251 dated May 4, 2005.

A copy of the complete Office action response filed 26 July 2004 is provided including: the certificate of mailing, 1 page; the Office action response containing the claims requested appearing on pages 4 through 10, 11 pages; the Express Mailing receipt prior to sending; the Express Mailing receipt with date stamp, 1 page; the Post Office receipt for Express Mailing, 1 page; the postcard, address side, with cancel, 1 page; and the postcard information side with USPTO receipt stamp, 1 page.

The copy of the papers listed in the Notice under 37 C.F.R. 1.251 are a complete and accurate copy of Applicant's record of such papers.

Respectfully submitted,

Date: 19 May 2005

David B. Waller
Registration No. 43,978

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

NOTICE UNDER 37 CFR 1.251 - Pending Application

☐ The file on the cover sheet cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

CLAIMS dated 07/26/04

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

If applicant does not possess any record of the correspondence between the Office and the applicant for the file listed on the cover sheet or any copy of the paper(s) listed, applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

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Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

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PTO Doc. Code: R251.NTC (Rev. 03/05)

In re Application of: BROWN, STEVEN J. et al.
Application No.: 09965201
Filing Date: 09/25/01
Title: IDENTIFICATION OF MODULATORY MOLECULES USING
INDUCIBLE PROMOTERS
Direct to: U. S. Patent and Trademark Office
Mail Stop: Duplicates
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE UNDER 37 CFR 1.251 – Pending Application**Statement (check the appropriate box):**

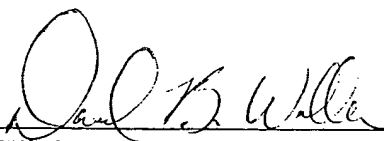
☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above identified application.

19 May 2005
Date


Signature

DAVID B. WALLER
Typed or printed name

A Copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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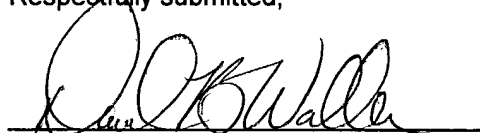
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Dear Sir:

I hereby certify that the enclosures listed below are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No.: EV393145975US, on 19 May 2005, addressed to: Mail Stop: Duplicates Commissioner for Patents, U.S.P.T.O., P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,



David B. Waller
Patent Agent No. 43,978

Enclosures:

Copy of Notice, 2 pages
Copy of requested materials, 17 pages
Response to Office, 2 pages
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